

## REMARKS/ARGUMENTS

### Status of the Application

Prior to the entry of this amendment claims 1-12 were pending in this application. The Office Action objected to claims 1-12 for containing informalities, rejected claims 1-3, 6, 7, 9 and 10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,446,009 to Baeten *et al.* (“Baeten”) and rejected claims 4, 5, 8, 11 and 12 under 35 U.S.C. § 103 as being unpatentable in view of several other cited references.

The present amendment amends independent claim 1 and dependent claims 2, 3 and 10. Therefore, claims 1-12 are presented for examination in this amendment. Support for the amendment to independent claim 1 may be found, *inter alia*, at page 9, line 10 through page 10, line 19. Reconsideration of the claims is respectfully requested.

### Claim Objections

In the Office Action claims 1-12 were objected to for containing informalities. Applicant apologizes for any inconvenience caused by the noted informalities and has amended claims 1-3 and 10 in this amendment to address the formality errors noted in the Office Action.

### 35 U.S.C. § 102(b & 103 Rejections

In the Office Action claims 1-3, 6, 7, 9 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Baeten. As amended, independent claim 1 claims a method for marine seismic data acquisition that includes the features of obtaining a 3D wavefield by cross-line acquisition using one or more marine seismic sources and a plurality of marine seismic receivers arranged into one or more lines, wherein the one or more marine seismic sources are towed behind a seismic vessel and an offset between shooting locations of the one or more seismic sources is regarded as an equal shift of the line of seismic receivers.

The Baeten reference does not describe or make any mention of a dynamic method for marine seismic data acquisition, in which, as provided in independent claim 1, a source is

towed behind a seismic vessel and over a line(s) of seismic receivers. Moreover, Applicants respectfully submit that as well as providing no teaching of such features, the Baeten reference does not provide any suggestion that the method described in Baeten could be applicable to a dynamic-marine seismic acquisition system or method. Finally, Applicants respectfully submit that there is no teaching or suggestion in Baeten regarding the feature of independent claim 1 wherein an offset between shooting locations of the one or more seismic sources is regarded as an equal shift of the line of seismic receivers; a feature which in the dynamic-marine seismic acquisition system of the present invention provides for using the dynamic source to form a carpet on the seafloor from which seismic data is acquired.

Consequently, Applicant respectfully submits that the Baeten reference does not teach or suggest all of the limitations of independent claim 1 as amended. Therefore, Applicants request that the Section 102 rejections of independent claim 1 and dependent claims 2-12 be withdrawn. Applicants also respectfully request that the Section 103 rejection be withdrawn as none of the references cited in the Office Action teach or suggest use of the Baeten method in a dynamic-marine seismic acquisition method or system

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### CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

In the event that a fee or refund is due in connection with this Amendment, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No 19-0615. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (617) 768 2421.

Respectfully submitted,

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